

RI Department of Environmental Management

ISDS Designer Licensing Review Panel

Approved Minutes of Open Session of March 30, 2007

This meeting of the ISDS Designer Licensing Review Panel was conducted at 235 Promenade Street, in Conference Room 200C1.

Members of the Panel Present:

Scott Moorehead, Chairman

Jim Tavares (Delayed arrival)

David Burnham

Dan Cotta (Delayed arrival)

Al DiOrio

Others present:

Russ Chateaufneuf, Chief, DEM Groundwater & Wetlands Protection

Brian Moore, DEM ISDS Program

Brian Sullivan, DEM ISDS Program

Lisa McGreavy, DEM Groundwater and Wetlands Protection

Kamal Hingorany, ISDS Designer (Present for Executive Session)

Neil Hingorany, Employee of K. Hingorany (Present for Executive Session)

The meeting was called to order at 9:40 A.M.

Minutes of the February 16, 2007 Meeting Open Session:

D. Burnham made a motion to accept the Minutes of the Open Session portion of the February 16, 2007 meeting with the following revisions. S. Moorehead seconded the motion. D. Burnham and S. Moorehead voted in favor of the motion. A. DiOrio abstained. The motion passes.

-Page 1, 2nd full paragraph, revise the wording to reflect that S. Moorehead announced that the meeting would proceed in Executive Session, D. Burnham made a motion to enter into Executive Session and J. Tavares seconded the motion;

-Page 2, 2nd full paragraph, add “not” to the sentence “Permits should "not" be required for cleaning for repairing a pipe.”

Webpage Listing Departmental Sanctions on ISDS Designer Performance:

R. Chateauneuf distributed a draft of the webpage that will be posted on the DEM website listing formal departmental sanctions on the performance of licensed ISDS Designers. D. Burnham noted that the word “reinstated” license should replace the word “reinstalled” in the disciplinary action section. S. Moorehead recommended changing the wording in the description section to reflect the broader functions of the panel. R. Chateauneuf agreed with the recommendations and will finalize the webpage which is also pending DEM Legal/OCI review.

(D. Cotta enters here)

D. Burnham made a motion that the panel is in favor of the department posting the ISDS Designer Licensing Program Disciplinary Actions webpage on the DEM website with the revisions noted. A. DiOrio seconded the motion. D. Burnham, A. DiOrio, S. Moorehead, and D. Cotta voted in favor of the motion. The motion passes.

R. Chateaufneuf clarified the outcome of a previous DEM/OCI disciplinary action listed on the webpage regarding ISDS Licensed Designer K. Hingorany stating that the department issued an Intent to Suspend notice to Mr. Hingorany; however the issue was later settled in a Consent Agreement whereby the department eliminated the suspension and imposed a \$2,200 penalty fee. R. Chateaufneuf noted that the department will be insuring that only official enforcement actions the designers have formally agreed to will be posted on the website.

At 9:55 A.M., in open call, S. Moorehead announced that the meeting would proceed in Executive Session pursuant to R.I.G.L. 42-46-5 (a)4 for discussion of conduct of specific designers. A. DiOrio made a motion to enter into Executive Session. D. Burnham seconded the motion. A. DiOrio, D. Burnham, S. Moorehead, and D. Cotta voted in favor of conducting business in Executive Session. The motion

passes.

(J. Tavares enters here.)

Continuation of Open Session

The open meeting was reconvened at 1:00 P. M.

D. Burnham made a motion to reaffirm votes taken in Executive Session which are listed below and seal the minutes of the Executive Session. D. Cotta seconded the motion. D. Burnham, D. Cotta, J. Tavares, S. Moorehead, and A. DiOrio voted in favor of the motion. The motion passes.

Votes taken while in Executive Session:

D. Burnham made a motion to accept the Minutes of the Executive Session portion of the February 16, 2007 meeting revisions noted. S. Moorehead seconded the motion. D. Burnham, S. Moorehead, J. Tavares, and D. Cotta and voted in favor of the motion. A. DiOrio abstained. The motion passes.

D. Burnham made a motion that the department draft a letter, for review by the panel at the next meeting, stating that the panel recommends that the department issue a six-month license

suspension to Mr. Kamal Hingorany. Prior to the license reinstatement, Mr. Hingorany is required to submit a quality improvement plan sufficient to meet a standard of care that is acceptable to the department. J. Tavares seconded the motion. D. Burnham, J. Tavares, S. Moorehead, A. DiOrio, and D. Cotta voted in favor of the motion. The motion passes.

D. Burnham made a motion to seal the minutes of the Executive Session, adjourn the Executive Session, and reconvene the Open Session. D. Cotta seconded the motion. D. Burnham, D. Cotta, J. Tavares, A. DiOrio, and S. Moorehead voted in favor of the motion. The motion passes.

Next Meeting:

The next meeting of the panel is tentatively scheduled for Friday, May 4, 2007 from 9:30 AM to 12:00 PM in Conference Room 280C in the DEM Office of Water Resources.

D. Burnham made a motion to adjourn. A. DiOrio seconded the motion. D. Burnham, A. DiOrio, J. Tavares, S. Moorehead, and D. Cotta voted in favor of the motion. The motion passes.

The meeting adjourned at 1:01 P.M.